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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/672,476	09/28/2000	Michihiro Ota	80376	8514
24628	7590	07/14/2005	EXAMINER	
WELSH & KATZ, LTD 120 S RIVERSIDE PLAZA 22ND FLOOR CHICAGO, IL 60606			BORISSOV, IGOR N	
			ART UNIT	PAPER NUMBER
			3639	

DATE MAILED: 07/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/672,476

**Applicant(s)**

OTA ET AL.

**Examiner**

Igor Borissov

**Art Unit**

3639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 26-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 26-30, 33-40 and 43-45 is/are rejected.
- 7) ☒ Claim(s) 31, 32, 41, 42, 46 and 47 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 4/25/2005 has been entered.

### ***Response to Amendment***

Amendment received on 4/25/2005 is acknowledged and entered. Claims 1-25 have been previously canceled. Claims 26, 28-36, 38, 40-42 and 44 are currently amended. Claims 26-47 are currently pending in the application.

### ***Claim Objections***

Claims 31, 32, 41, 42, 46 and 47 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim should refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claims 31, 32, 41, 42, 46 and 47 have not been further treated on the merits.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 26, 29, 30, 40, 41 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato (H8-153248) in view of Hoffberg et al. (US 5,901,246).**

**As per claim 26 and 36,**

Japanese Unexamined Patent Publication No. H8-153248 (Kato) teaches (See English translation enclosed) a method and system for remote authorization of a vending machine, wherein, a consumer who desires to obtain a service or product from a vending machine, transmits via a portable telephone a vending machine designated code and a consumer individual identification code to said vending machine; the vending machine transmits said information to a central controller; the central controller judges the individual identification code by judgment means; and, as a result of the judgment, when sales to the user of said identification code are possible, a sales authorization signal is transmitted to the vending machine to which said designated code pertains. The controller records the sales amount for each individual identification code [0007]; [0008].

Kato does not specifically teach *encrypting* transmitted information.

Hoffberg et al. (Hoffberg) teaches a method and system for man-machine interface incorporating adaptive pattern recognition based control system, wherein financial information transmitted over the network is encrypted prior to presentation to the user (Fig. 25; column 1, lines 14-24; column 33, lines 12-17); and wherein the presentation of said information is performed by inputting said information to a communication equipment of said user, by means of communication between said point issuing device and said communication equipment, wherein said communication equipment comprises a portable telephone set carried by said user (column 110, line 46-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kato to include encrypting transmitted information, as disclosed in Hoffberg, because it would advantageously enhance the security of the system.

**As per claims 29-30 and 40-41**, See reasoning applied to Claims 26 and 36.

**Claims 28, 33-35, 38 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Hoffberg and further in view of Deaton et al. (US 6,292,786).**

**As per claims 28 and 38**, Kato and Hoffberg teach all the limitations of Claims 28 and 38, except printing out said information on a prescribed form from said point issuing device.

Deaton et al. (Deaton) teaches a method and system for operating point-of-sale terminals, wherein the presentation of information is performed by printing out said information on a prescribed form from said point issuing device (column 6, lines 27-37; column 16, lines 16-20).

It would have been obvious to one having ordinary skill in art the time the invention was made to modify Kato and Hoffberg to include printing out said information on a prescribed form, as disclosed in Deaton, because it would advantageously provide the user with a hard copy of said information, thereby allowing to prove the request if needed.

**As per claims 33 and 43**, Deaton teaches said method and system wherein a center device comprises an equipment database to store and manage a state of at least one of said point issuing means and the equipment performing sales of said merchandise in which said point issuing means is provided, in correspondence with said module code (column 4, lines 15-36).

**As per claims 34-35 and 44-45**, Deaton teaches said method and system, wherein said center device permits the user to read point information stored and managed for said user in response to a request from said user (column 5, lines 12-29).

**Claims 27 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Hoffberg and further in view of Nakajima et al. (US 4,636,963).**

**As per claims 27 and 37**, Kato in view of Hoffberg teach all the limitations of claims 27 and 37, except specifically teaching: *setting a display unit based on a return signal issued by operation of a return lever of said vending machine; setting a timer for counting a predetermined time based on the return signal; displaying point information based on a money collecting signal; and erasing the display of the point information based on when the return signal is reissued by re-operation of the return lever or when the timer times out.*

Nakajima et al. (Nakajima) teaches a control system and method for an automatic vending machine, including a switch (return lever), a timer and a display; wherein, in response to activation of said switch (return lever), information related to gross sales and accumulated discounts (points) is displayed; and wherein said vending machine is reset into the original mode if said switch not being actuated for a predetermined time period (column 7, lines 4-34; column 13, line 44 – column 14, line 43).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Kato and Hoffberg to include that, in response to activation of said switch (return lever), information related to gross sales and accumulated discounts (points) is displayed; and wherein said vending machine is reset into the original mode if said switch not being actuated for a predetermined time period, as disclosed in Nakajima, because it would advantageously provide a customer with information related to accumulated discounts (points) during a transaction, and would preserve the confidentiality of said information by clearing up the display after the predetermined time period if said customer forgets to cancel the transaction.

### ***Response to Arguments***

Applicant's arguments with respect to Claims 26-47 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (571) 272-6801.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Hayes, can be reached at (571) 272-6708.

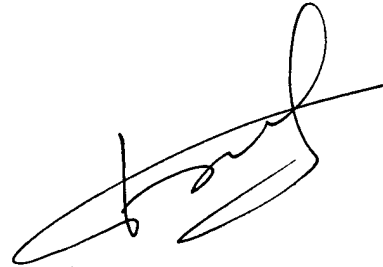
Any response to this action should be mailed to:

***Commissioner of Patents and Trademarks  
Washington D.C. 20231***

or faxed to:

**(703) 872-9306** [Official communications; including After Final  
communications labeled "Box AF"]

Igor Borissov  
Patent Examiner  
Art Unit 3639

A handwritten signature in black ink, appearing to read 'Igor Borissov', with a large, stylized flourish at the end.

IB

7/10/2005